REMARKS/ARGUMENTS

Reconsideration of this patent application is respectfully requested in view of the foregoing amendments and the following remarks.

The claims are 1-30. Claims 1-30 are as previously presented in the Preliminary Amendment Accompanying Request for Continued Examination filed on July 16, 2008.

Claims 1-10, 13, 14, 16-18, 21 and 24-30 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,775,417 to *Council*. Claims 11, 12, 19, 20, 22 and 23 have been rejected under 35 U.S.C. §103(a) as being unpatentable over *Council* in view of U.S. Patent No. 3,144,949 to *Haugwitz*. Claim 15 has been rejected under 35 U.S.C. §103(a) as being unpatentable over *Council* in view of U.S. Patent No. 4,360,054 to *Perrella*.

Essentially, it was the Examiner's position that *Council* teaches a drawing machine and method substantially as claimed with the exception of a force splitter and the supporting means including at least one cross-tie having a component departing from the drawing die and leading toward the frame away from the

drawing path, which are said to be shown in *Haugwitz,* and a hydraulic cylinder which is said to be shown in *Perrella*.

The rejections are respectfully traversed.

As set forth in independent claim 1, Applicant's invention provides a drawing machine with a caterpillar conveyor for drawing a linear workpiece through a drawing die. The caterpillar conveyor includes a first chain carrier and a second chain carrier.

A first tool chain and second tool chain form a drawing plane in which the workpiece to be drawn is caused to move. The first chain carrier, the second chain carrier, the first tool chain and the second tool chain are disposed in the drawing plane.

At least one of the chain carriers is displaceable in a frame which absorbs press-on forces between the tool chains. A first frame half is disposed on a first side of the drawing plane and a second frame half is disposed on a second side of the drawing plane. The first frame half and the second frame half are configured to be symmetrical in a region opposing the press-on forces.

As set forth in independent claim 24, Applicant's invention further provides a method of drawing a linear workpiece through a drawing die, wherein the workpiece to be drawn is conveyed by means of a first and a second tool chain of a caterpillar conveyor. The first tool chain is held by a first chain carrier and the second tool chain is held by a second chain carrier. At least one of the chain carriers is displaceable for applying press-on forces.

The first and second tool chains form a drawing plane in which the workpiece is moved. The first chain carrier, the second chain carrier, the first tool chain and the second tool chain are disposed in the drawing plane and the press-on forces are applied in the drawing plane.

At least one of the chain carriers is displaceable in a frame absorbing the press-on forces between the tool chains. The frame includes a first frame half disposed on a first side of the drawing plane and a second frame half disposed on a second side of the drawing plane. The first frame half and the second frame half are configured to be symmetrical in the region opposing the press-on forces.

In particular, Applicant's independent claim 1 recites a drawing machine wherein:

> ***. . . at least one of the chain carriers is displaceable in a frame absorbing press-on forces between the tool chains . . .***

Likewise, Applicant's independent claim 24 recites a method of drawing a linear workpiece through a drawing die, wherein

> ***. . . at least one of said chain carriers being displaceable in a frame absorbing the press-on forces between the tool chains. . .***

The cited references fail to teach or suggest a drawing machine or a method for drawing a linear workpiece as recited in Applicant's independent claims 1 and 24, respectively. In particular, the references fail to teach or suggest an apparatus or method wherein at least one chair carrier is displaceable in a frame, which frame absorbs press-on forces between tool chains.

The Examiner has taken the position that *Council* teaches an apparatus including "at least one of the chain carriers (243, 245P) being displaceable in a frame (31, 37) absorbing the press-on forces between the tool chains (343, 345P [*sic,* 243, 245P]). Contrary to the Examiner's interpretation, the frame (31, 37) in the device according to *Council* does <u>not</u> absorb press-on forces between the tool chains.

The press-on forces in the device according to *Council* are met by cylinders (221, 223). These press-on forces are <u>not</u>

directed into the frame (31, 37), nor are the press-on forces met by the frame (31, 37). Rather, the press-on forces in *Council* are directly applied on the respective chain carriers.

Accordingly, *Council* fails to teach or suggest a drawing machine or a method for drawing a linear workpiece as recited in Applicant's independent claims 1 and 24, wherein at least one chair carrier is displaceable in a frame, which frame absorbs press-on forces between tool chains. Rather, in the device disclosed in *Council*, at least one of the chain carriers (and not the frame) absorbs the press-on forces between the tool chains.

The secondary references to *Haugwitz* and *Perrella* fail to remedy the defects and deficiencies of the primary reference to *Council*. In particular, neither of the secondary references teach or suggest a drawing machine or method for drawing a linear workpiece through a drawing die wherein (1) a first tool chain and a second tool chain form a drawing plane in which the workpiece to be drawn is caused to move; (2) a first and second chain carrier and a first and second tool chain are disposed in the drawing plane; (3) a first frame half is disposed on a first side of the drawing plane and a second frame half is disposed on a second side of the drawing plane; and (4) the first frame half and the second frame half are configured to be symmetrical in the region opposing the press-on forces, as recited in independent claims 1 and 24.

Accordingly, for at least the reasons set forth above, it is believed that independent claims 1 and 24 are allowable over the cited references, either alone or in combination. Moreover, claims 2-23, which depend directly or indirectly on claim 1, and claims 25-30, which depend directly or indirectly on claim 24, are believed to be allowable for at least the reasons set forth for independent claims 1 and 24.

In view of the foregoing, it is respectfully requested that the claims be allowed and that this application be passed to issue. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,
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